

**LOUISIANA STATE BOARD OF NURSING
3510 NORTH CAUSEWAY BLVD., SUITE 501
METAIRIE, LOUISIANA 70002**

MINUTES OF THE JULY 16, 2003 SPECIAL CALL BOARD MEETING

Call to Order: This special meeting of the Louisiana State Board of Nursing was called to order at 8:35 a.m. by Patsy McClanahan, President, on Wednesday, July 16, 2003, at Louisiana State Board of Nursing, 3510 North Causeway Blvd., Suite 601, Metairie, Louisiana 70002.

Roll Call: The following members were in attendance:

Patsy McClanahan, MSN, RDMS, RN, CNP, President
Deborah Ford, MSN, RN, CNA, Vice President
Patricia Bourgeois, MSN, CNS, RN, Alternate Officer
Elsie Crapanzano, MSN, RN
Deborah Olds, RN
Frankie Rosenthal, MSN, RN, CNS, CNA
Nora Steele, DNS, RN, C, PNP

The following members were not in attendance:

Tommie J. Ashby, RN, BSN
Karen Moody, PhD, RNC
Eli Sorkow, MD, Non-Voting Member

The following staff members were in attendance:

Barbara Morvant, MN, RN, Executive Director
Cynthia Morris, MSN, RN, Assistant Executive Director
Barbara McGill, MSN, RN, Compliance/Practice Director
Pat Ladner, MN, RN, RN Consultant for Practice
Sheri Morris, Board Attorney
Julie Comeaux, Executive Services Assistant and Recorder

The following guest were in attendance:

Gwen George, Louisiana Association of Nurse Practitioners
Cathryn Wright, Louisiana Association of Nurse Practitioners
Darla Welne, Louisiana State Nurses Association

Introduction: President P. McClanahan established that a quorum of the Board was present.

AGENDA ITEM 3:

PROPOSED REVISIONS TO LAC 46:XLVII.4513.C.LIMITED PRESCRIPTIVE AND DISTRIBUTING AUTHORITY

B. Morvant reported that House Bill 1433 became effective July 2, 2003 in which it transferred the authority for prescriptive authority from the Joint Administration Committee ("JAC") to the Louisiana State Board of Nursing ("LSBN"). She further explained that the Board would need to decide how to implement that authority and also how to handle the transition. Staff asked for direction from the Board on how to act on prescriptive authority for APRNs in the future and the amendments on the rules and policy guidelines as needed. B. Morvant proposed that the Board treat prescriptive authority in the same manner as they treat any other licensure process and that is the Board sets the policy and guidelines and that the staff acts on those processes which meet the standards of the

guidelines of the rules. Staff also request direction as to how the Board would like to handle exceptions. For instance, bring them all to the Board or bring them to a committee.

B. Morvant reported that she had the Board attorneys review the proposed rules and they have some observations in terms of how the Board needs to interpret HB 1433 and explanation of the transitional language and statute.

S. Morris, Board Attorney explained that late in the session staff were concerned that there was not any language allowing for the transition and that the Joint Administrative Committee would be repealed and anything the JAC had done would be ineffective. Therefore, on behalf of Louisiana State Board of Nursing she requested an amendment to the bill and that amendment is on page 4 of the Bill or now Act, Section 918, Subsection 19. Legislators has not only empowered, but also required the Nursing Board to enforce the rules and regulations, which were in place on the effective date of this act. In the rules and regulations previously promulgated by the JAC wherever it says, "Joint Administration Committee" shall do process it is now to read, "Louisiana State Board of Nursing" shall do those functions. These rules would be in place until LSBN has the opportunity to enact its own rules. In respect to the issuance of authority to prescribe, due to numerous applications that were pending review by the JAC Ms Morris proposed that the Board adopt a resolution for staff to act on applications. This resolution would have the Board direct staff to review renewals and initial applications for prescriptive authority in the same way B. Morvant described LSBN does for other licensures. Under the Board's present authority, Section 918 this Board has the authority to direct their staff to act on their behalf. The Board can direct B. Morvant to set up whatever procedure they feel is appropriate.

B. Morvant explained her interpretation of the transitional portion of the bill to say that she could continue to allow nurses to prescribe who were authorized under the JAC and that she could continue to enforce if there were disciplinary actions or complaints, but she was not sure how she could enforce the rules on applications that said the JAC would approve and that JAC no longer exist. We have about 50 applications pending that were expecting some relief by July 18, 2003.

The Board discussed the emergency rule process versus the normal process of promulgating rules and regulations. S. Morris explained there was no advantage to file the amendments of the rules as an emergency because the Board already has the authority to direct the staff to review the applications and issue those who clearly meet the standards, but those that do not clearly meet the standards set forth in the law would have to be reviewed either delegated to a committee or the full Board just as they do with their other applications.

The Board and staff discussed further the process already in place for checking all requirements before going to committee. Credentialing Committee already reviews and approves exceptions to APRN licensure. It was suggested that if applications are denied and appealed they can then go to the Board.

The Board discussed time restraints and S. Morris explained that it is generally expected that the process of rule amendments is a time consuming matter and that the legislation did not impose a time limit on the Board to promulgate the rule amendments.

The Board and staff continued to discuss their concerns and suggestions for the process.

B. Morvant read the resolution language as attached.

Motion: by N. Steele, seconded, to adopt resolution as read. (Attached)

Voice Vote: McClanahan-yes; Ford-yes; Bourgeois-yes; Crapanzano-yes; Olds-yes, Rosenthal-yes; Steele-yes.
Motion Carried

Motion: by D. Ford, seconded, to direct Board staff to begin the process of drafting revised rules and regulations for prescriptive and distributing authority and to begin drafting guidelines for historical exceptions made by joint administration committee.

Voice Vote: McClanahan-yes; Ford-yes; Bourgeois-yes; Crapanzano-yes; Olds-yes, Rosenthal-yes; Steele-yes.
Motion Carried

ADJOURNMENT:

The meeting adjourned at 9:25 a.m.

PATSY MCLANAHAN, PRESIDENT
LOUISIANA STATE BOARD OF NURSING